

United States District Court
District of New Hampshire

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

2012 SEP 25 A 11:15

Dominic S. Ali
Plaintiff

v.

NEF, Warden
Defendant(s)

Civil Action No. 12-fp-364
(To be provided by Clerk's Office)

TO BE COMPLETED BY PLAINTIFF
(Check One Only)
☒ DEMAND FOR JURY TRIAL
☐ NO JURY TRIAL DEMAND

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C § 1983

I. Parties

A. Please provide the following information for each plaintiff:

1. Name Ali Dominic DA
(Last) (First) (Initial)

2. Place of Detention Northern Correctional Facility

3. Institutional Address 138 East Main Road
Berlin, New Hampshire 03570

4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?

- ☐ Pretrial Detention Order
☒ Sentenced Inmate

5. Date pretrial detention order was issued or sentence imposed _____

B. Please provide the full name, current title and address known for each defendant:

1. Name Reilly Edward
(Last) (First) (Initial)
2. Title Warden of the Correctional Facility
3. Address 138 East Main Road
Berlin, New Hampshire 03570

(If the complaint is being made against more than one defendant, please attach additional sheets listing the above information and allegations as follows.)

II. Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which of your federal constitutional or federal statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State, with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged violation or deprivation.

Allegation 1: Denying Mr. Ali's rights to practice a particular aspect of his religion, Sallate al dummah

Supporting Facts: In discrimination by NCF official trusts in violation of the state and Federal Constitution the First and the fourteenth Amendment in not offering a reasonable opportunity to practice Sallate Al dummah. Sallate Al dummah is the central religious ceremony of the Islamic Faith, and must be performed in congregation every week like any other religions and studies. Sallat Al dummah is an obligatory to all muslims and it can't be made up and its in violation of the eight amendment.

Allegation 2: Allowing a non Muslim Mr. Hoyt who did not understand Islam him self to provide Muslims services.

Supporting Facts: The Northern Correctional Facility appoint a non Muslim who did not understand Islam him self and set rules that he did not understand. He was appointed on or about sept of 2007. Since his appointment, Mr. Hoyt disallowed the continuance of Muslims worship at this Facility. Mr. Hoyt allowed only Ramadan and not providing a reasonable healthy Food - Mr. Hoyt who is incompetent in his position did not develop any possible solution regarding Islamic worships, in violation of state and Federal Constitution.

Allegation 3: Deliberate violation of Mr. Ali's rights under State & Federal Constitution The First and the Fourteenth Amendment.

Supporting Facts: On or about August 10, 2012, at approx 10:20 AM, Laction NCF, DF, cell # 13, Epl. J. Nadwar and Co. S. Watson while conducting A so called strike down of inmate cell Trashing a cell and going throw legal mails and other property. that involving Emotional injuries and punitive damages and racial discrimination motivated by evil motive and intent involves reckless and callous Indifference to the Federally protected rights of others. Quod Hoc.

(If more space is needed to explain any allegation or to list additional facts, attach additional pages)

III. Relief

You must request specific relief in your Complaint. State briefly exactly what you want the court to do for you (attach additional pages if necessary):

The plaintiff respectfully request this Honorable Court, that NCF should not prohibits the Plaintiff from practicing his religion as well as allowing the Islamic Community in the facility and allowing him to perform congregation Salats AL Jumma'h and Eid AL Fitr as the religion requires for ninety days, and reward the Plaintiff \$350,000 for punitive damages, Emotional injuries, such as stress & hostility by staff and administration for lack of protection under his care.

Date: Sept. 6, 2012

Abel Dinnail
Signature of Plaintiff

①

Supporting Facts; # 3

1 of 4

When Co. S. Watson who is unprofessionally and not trained properly to deal with inmates who is practicing the rights of individuals to practice the religion of their choice. that been established under State and Federal Constitutions.

Officer S. Watson dump into conclusion and judgement with out having any Facts for his actions. On August the 10th I Mr. Ali was Fasting the Muslims Ramadan when he conduct his shutdown and took all my given Ramadan food and dump them into a trash bag with dirty property that he took from cell #13 that I could no longer eat or fast that day. I Mr. Ali tried to speak to Co. S. Watson before he could take my food away, that he respond with threats when I'm trying to explain to Co. S. Watson that this is my Ramadan Food given by the Chaplain Hoylt to all inmates who is Fasting Ramadan. During Ramadan all Muslims could fast for 30th days or 40th day due to other problem of sickness or other issues. allowing 10 days to recover. On August 13, 2012, at approx 8:30 AM, I Mr. Ali decided not to fast that Day due to stress and emotional problems with this Facility and its staff and the Food they serve during Ramadan, that lack^{of} Nutrition. In Concord prison the Chaplain allowed every meals to be served that Day to all inmates who is Fasting. At this Northern Correction Facility inmates who's fasting don't get what is for today for meals.

2 of 4

For example: IF the Facility is feeding inmates Flapjacks, any inmate whos fasting would eat that meal for that Day. Every day we eat small portion of meals, Frozen and uncooked. For that reason, I lost almost Ten pound due to been hungry every nights.

On August 13, 2012, I was ~~confronted~~ ^{attacked} by C.O S. Watson at chow hall him been disrespectful and loud trying to restrict me my rights to practice a particular aspect of my religion, when he has no rights. I was rushed from the chow hall to L.T Berwick and L.T. Massy for questions about my religion. I was ask what my name meant in Islam, how many time we should pray, that seem more like an interrogation and I ask them to stop. Then I asked for a Grievance form for further review by the Warden. I was told that I have no ground for Grievance by both L.T.s. After I spok to the warden throw request slips, I was given a Grievance form. direct order from Mr. Reilly

The warden Edward Reilly responded to my issues with no solution, like everytime, due to his lack of understanding of inmates issues and his incompetent Staff. it seems like its inmates v. Staff, whatever* inmates have an issue, it seem like a joke to these Staffs. They took me off the Ramadan list even before they spoke with the Chaplan.

3 of 4

I was not allowed to fast anymore.

This Facility has a long history of bad tendency against muslims and their rights.

A United State preliminary injunction was filed in the Eastern District Federal Court on or about August 15th, 2007, reckless and callous indifference to the Federally protected rights as the Constitution. the First Amendment. A muslim inmate house at the Northern Correction Facility about muslims servicers. due to the pressure, the administration appointed a new paid volunteer staff, Religious Coordinator. Mrs. Dana Hoyt. And she allowed muslims worship to continue. After ~~ten~~ two years, Mrs. Dana Hoyt left for some reason unknown, then Chaplain Hoyt who seems like a brother of Dana Hoyt, he was appointed, despite his incompetency till this day. He did not provide inmates with a healthy habitative environment. During Ramadan Chaplain Hoyt did not provide nutritionally adequate food that is prepared and served under condition that is should be. Ramadan food in this facility present an immediate danger to the health and well being of the all inmates who consume it, For example; something called bird seeds, that is dry mixed with rocks. and it given to inmates who's fasting Ramadan everyday. Any muslim inmate can not participate in any other religion such as Christmas party and Christmas package were inmates gets useful, healthy food and other things that this

4 of 4

Facility don't sell in Canteen. The warden and the Chaplain deliberately indifference permitted the Constitutional abuses to continue unchecked till this Day of Muslims.

The Northern Correction Facility terminated groups meeting and disallowed the continuance of Muslim worship as well for unknown reason.

The Muslims worships should continue to be protected by State and Federal Constitution and assured by all under color of the law of the land and those in direct violation of said Rights to Freedom of Worship in case in Chief.


Dominic Ali 81829
138 East Main Rd
Berlin, NH 03570

C: file

State of New Hampshire]
]
 County of Merrimack] ss

F. Dominic Ali, being first duly sworn, upon oath, presents that (s)he has read and subscribed to the foregoing complaint, and states that the information contained therein is true and correct.

Subscribed and sworn before me this 6th day of September, 2012.

 Angela Poulin
 Notary Public/Justice of the Peace

OR

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT.

9/6/2012 DATE Richard Dineen SIGNATURE

JURY TRIAL DEMAND

I demand a jury trial for all claims for which a jury trial is allowed.

YES (☒) NO (☐)
 (check one only)

Date: 9/6/2012 Richard Dineen
 Signature of Plaintiff